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JUN 25 2001

**OFFICE OF PETITIONS
A/C PATENTS**

In re Application of
Mark Kaplun and Amir Cohen
Application No. 09/783,626
Filed: February 14, 2001
Attorney Docket No. 100.004US01
For: ALARM MECHANISM

:
: DECISION REFUSING
: STATUS UNDER
: 37 CFR 1.47(b)
:
:

This is in response to the petition under 37 CFR 1.47(b), filed February 14, 2001.

The petition is dismissed.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Any response should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(b)" and may include an oath or declaration executed by the inventors. Extensions of time under 37 CFR 1.136(a) are permitted. **Failure to respond will result in abandonment of the application.**

A grantable petition under 37 CFR 1.47(b) requires:

- (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration;
- (2) an acceptable oath or declaration;
- (3) the petition fee;
- (4) a statement of the last known address of the non-signing inventor;
- (5) proof of proprietary interest; and
- (6) proof of irreparable damage.

Applicant lacks items (1), (2), and (4).

As to item (1), when there is an express written refusal, a copy of the document evidencing that refusal must be made part of the affidavit or declaration. Petitioner should supply a copy of the May 4, 2000 email from Cohen, along with a translation of the email into English.

As to (2), the 37 CFR 1.47(b) applicant must make the oath required by 37 CFR 1.63 and 1.64 or 1.175. Where a corporation is the 37 CFR 1.47(b) applicant, an officer (President, Vice-President, Secretary, or Treasurer) thereof should normally sign the necessary oath or declaration. A corporation may authorize any person, including an attorney or agent registered to practice before the Patent and Trademark Office, to sign the application oath or declaration on its behalf. Where an oath or declaration is signed by a registered attorney or agent on behalf of a corporation, either proof of the attorney's or agent's authority in the form of a statement signed by an appropriate corporate officer must be submitted, or the attorney or agent may simply state that he or she is authorized to sign on behalf of the corporation. Where the oath or declaration is being signed on behalf of an assignee, see MPEP Section 324. Where an application is executed by one other than the inventor, the declaration required by 37 CFR 1.63 must state the full name, residence, post office address, and citizenship of the nonsigning inventor. Also, the title or position of the person signing must be stated if signing on behalf of a corporation under 37 CFR 1.47(b).

As to (4), the address listed for the inventors on the petition and declaration differ slightly from the address listed on the copy of the September 6, 2000 letter to the inventors mailed by William Weisel. Petitioner should ensure that the addresses listed on the petition and declaration for the inventors are both complete and correct.

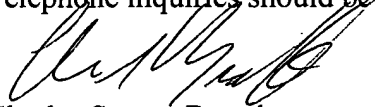
Further correspondence with respect to this matter should be addressed as follows:

By mail: Commissioner for Patents
Box DAC
Washington, D.C. 20231


By facsimile: (703) 308-6916
Attn: Office of Petitions

By hand: Office of Petitions
2201 South Clark Place
Crystal Plaza 4, Suite 3C23
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Telephone inquiries should be directed to Petitions Attorney Steven Brantley at (703) 306-5683.



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